

JAP:NR

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

CARLTON FRANKLIN,

Defendant.

- - - - - X

EASTERN DISTRICT OF NEW YORK, SS:

CARLOS SOTO, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations ("HSI").

Upon information and belief, on or about September 19, 2011, within the Eastern District of New York and elsewhere, defendant CARLTON FRANKLIN did knowingly, intentionally, and unlawfully import into the United States from a place outside thereof cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. On September 19, 2011, defendant CARLTON FRANKLIN arrived at John F. Kennedy International Airport in Queens, New York ("JFK"), aboard Delta Airlines Flight No. 384 from Georgetown, Guyana.

2. The defendant was stopped for an enforcement examination by a Customs and Border Protection ("CBP") Officer. The defendant's baggage was searched with a negative result. The defendant indicated that he had been to Guyana on vacation and that he was originally scheduled to return on August 24, 2011, but that he had missed his flight. The CBP Officer observed that the defendant exhibited nervous behavior during the course of this examination.

4. Due to the defendant's behavior, the CBP Officer escorted the defendant to a private search area to conduct a patdown search of the defendant. The result of that search was negative. During this time, the defendant continued to exhibit nervous behavior.

5. The defendant stated to the CBP Officer that an individual was waiting for him outside the terminal and provided a name and phone number for that individual. A call was placed to the number provided and an individual answered, identifying himself by the same name that the defendant had provided to the CBP Officer. The individual denied knowing the defendant and

denied coming to the airport to pick up any passenger before hanging up the phone.

6. The defendant was then presented with an x-ray consent form, which he appeared to read and understand and which he voluntarily signed.

7. The defendant than admitted that he had swallowed approximately 60 pellets of cocaine.

8. The defendant was transported to the medical facility at JFK where an x-ray was taken of the defendant's intestinal tract. The x-ray revealed the presence of foreign bodies in his intestinal tract.

9. The defendant thereafter passed 14 pellets, one of which was probed and field-tested positive for the presence of cocaine.

10. Defendant CARLTON FRANKLIN will be detained at the JFK medical facility until such time as he has passed all the pellets contained within his intestinal tract.

WHEREFORE, your deponent respectfully requests that defendant CARLTON FRANKLIN be dealt with according to law.

CARLOS SOTO
Special Agent
Homeland Security Investigations

Sworn to me before this
19th day of September, 2011

HONORABLE LOIS BLOOM
EASTERN DISTRICT OF NEW YORK